

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

HERTA MARTHA SHIKAPWASHYA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:17-CV-01961-AGF
	)	
URBAN LEAGUE OF METROPOLITAN	)	
ST. LOUIS,	)	
	)	
Defendant.	)	

**MEMORANDUM & ORDER**

This matter is before the Court on Plaintiff's motion for protective order to quash Plaintiff's deposition. ECF No. 63. Defendant opposes the motion. For the reasons set forth below, Plaintiff's motion will be granted, and the parties will be directed to submit a joint proposed schedule for the remainder of the litigation.

Mediation in this case is currently scheduled for August 9, 2018, and limited scope ADR counsel was appointed to represent Plaintiff in that mediation. Plaintiff, through limited scope ADR counsel, filed the instant motion for protective order to quash a deposition notice for Plaintiff's deposition that she contends was unilaterally issued by Defendant and scheduled to take place on August 2, 2018.

The parties disagree as to the timing of Plaintiff's deposition relative to the mediation. Limited scope ADR counsel believes that he needs certain discovery from Defendant before mediation and Plaintiff's deposition can take place. Defendant believes

it needs to take Plaintiff's deposition in advance of the mediation in order to engage in a meaningful mediation.

The Court believes that the position of both parties is valid. Therefore, the parties will be directed to meet through counsel and propose an amended case management order that will provide a deadline for Plaintiff's deposition to take place in advance of the mediation and include sufficient time for limited scope ADR counsel to obtain the discovery he requires before the mediation, as well as any discovery he needs to participate in and defend Plaintiff during her deposition.<sup>1</sup>

Accordingly,

**IT IS HEREBY ORDERED** that Plaintiff's motion for protective order is **GRANTED**. ECF No. 63.

**IT IS FURTHER ORDERED** that the parties shall meet through counsel and file a joint motion to amend the case management order on or before **August 10, 2018**. The motion shall include an amended schedule for Plaintiff's deposition, mediation, the

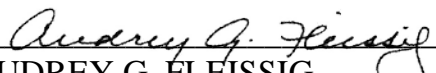
---

<sup>1</sup> Local Rule 16-6.02 permits appointed limited scope ADR counsel to engage in discovery that he or she deems appropriate to conduct a meaningful mediation. Specifically, the Rule provides:

Although the scope of this representation is limited, counsel will provide such services as counsel deems appropriate to the mediation, including but not limited to review of the pleadings, communication with opposing counsel, and interviews with the client and such key witnesses as may be necessary in advance of the mediation or early neutral evaluation. Counsel will not be precluded from conducting or participating in such discovery, if any, as may be necessary in advance of the mediation or early neutral evaluation.

Local Rule 16-6.02(C)(1). Thus, limited scope ADR counsel's request to participate in and defend Plaintiff during her deposition is appropriate within the scope of the Rule.

discovery deadline, and any other deadlines the parties believe require adjustment in light of this Order.

  
\_\_\_\_\_  
AUDREY G. FLEISSIG  
UNITED STATES DISTRICT JUDGE

Dated this 1st day of August, 2018.